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MEMO ENDORSED

Hon. P. Kevin Castell
United States District Judge
Southern District of New York
40 Centre Street
New York, NY 10007

October 19, 2007

Re: Zarate v. D.L. Recovery Corp., 07-6673

Your Honor:

Please accept our apologies for failing to submit the pre-conference letter.

The instant action is brought pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq., based on defendants' egregious conduct in their attempt to collect a debt allegedly owed by plaintiffs. As alleged in the annexed complaint, defendants threatened plaintiff with arrest and the seizure of her household belongings, while falsely claiming to be police officers, attorneys and City Marshals.

Unfortunately, since the occurrence of the transactions alleged in the complaint, defendant D.L. Recovery Corp. has closed its only known place of business, and has left no forwarding information with the N.Y. Secretary of State or the N.Y.C. Department of Consumer Affairs. On September 18, 2007, plaintiff served defendant D.L. Recovery Corp. by delivering the complaint to the Secretary of State, but defendants have not interposed an answer or contacted plaintiffs counsel.

For this reason, plaintiff is unable to submit a joint letter, and advises the court that she contemplates the need to apply for a default judgment.

Yours truly,

EDWARD JOSEPHSON
Director of Litigation